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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,254	10/31/2003	Yoichi Hoshino	SHO-0026	9922

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RADER FISHMAN & GRAUER PLLC
LION BUILDING
1233 20TH STREET N.W., SUITE 501
WASHINGTON, DC 20036

EXAMINER

HARPER, TRAMAR YONG

ART UNIT PAPER NUMBER

3714

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/697,254	HOSHINO ET AL.	
	Examiner	Art Unit	
	Tramar Harper	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 7 is rejected under 35 U.S.C. 102(e) as being anticipated by Loose (US 6,517,433).

Claim 7: Loose discloses a gaming machine that comprises of mechanical rotatable reels of symbols as a variable display means and a video display as a more front side display means, though which the variable display is seen (Fig. 2a). The video display provides a synthesized plurality of images, such as graphics illustrating beneficial states, upon the variable display means (Abstract). Also, Fig. 6 illustrates how the video display graphically outlines the predetermined image with higher priority among the plural images. The reels are stopped in a winning state “7”s displayed across the payline (beneficial state for a specific game result) (Col. 4:3-5). The video display displays a variety of special effects though the use of graphical imagery to indicate various results as the reels are rotated or stopped (Col. 4:1-15). When referring to Figs. 8a-8c and Figs. 9a-c, Loose illustrates how images are displayed based on a priority order as the reels are started and stopped.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loose (US 6,517,433) in view of Muir (WO 3039699 A1) in further view of Ozaki et al (US 2001/0031658).

Claim 1: Loose discloses a gaming machine that comprises of mechanical rotatable reels of symbols as a variable display means and a video display as a more front side display means, through which the variable display is seen (Fig. 2a). The video display provides a synthesized plurality of images, such as graphics illustrating beneficial states, upon the variable display means (Abstract). Also, Fig. 6 illustrates how the video display graphically outlines the predetermined image with higher priority among the plural images. The reels are stopped in a winning state "7"s displayed across the payline (beneficial state for a specific game result) (Col. 4:3-5). The video display displays a variety of special effects through the use of graphical imagery to indicate various results as the reels are rotated or stopped (Col. 4:1-15). When referring to Figs. 8a-8c and Figs. 9a-c, Loose illustrates how images are displayed based on a priority order as the reels are started and stopped. Loose also discloses that alternative video displays may be used such as CRT, LCD, LED, or other type known in the art (Col. 3:4-6). Loose fails to disclose a liquid crystal display (LCD) device including a liquid crystal

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panel, light guide device arranged at a rear side of the liquid crystal panel, illumination device for generating light which is guided to the light guide device and reflection device for reflecting light guided to the light guide device toward the liquid crystal panel arranged in the front side of the light guide device. However, Muir teaches the use of a liquid crystal multilayer structure in a more front side of a variable display or set of reels (Fig. 8). The structure comprises the use of a liquid crystal panel (68) followed by a transparent panel (84) with illuminating device (82) attached (Pg. 7:6-7, Pg. 8:8-11, Fig. 8). Furthermore, Ozaki et al discloses a slot machine that comprises of a transmission type (transparent) LCD display (24) at a front side of a reel display (2) with a reflective panel (25) between. There is a backlight or illuminating device between the LCD and the reflective panel. Ozaki discloses that the reflective panel reflects light from the illuminating device (25) back through the LCD providing emphasis on the LCD display (§ 136-139, Fig. 28). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the LCD display device of Loose with the multilayer structure of Muir (liquid crystal panel, transparent panel, and illuminating device) and the reflective panel of Ozaki for purposes of providing an alternative LCD display structure that provides emphasis or increased visibility on the LCD display of the gaming machine when appropriate, as taught by Ozaki. Such modifications would provide more extravagant changes to the appearance of the display area, while displaying graphics within the player's focus (Loose: Col. 1:50-55).

Claim 2: Loose, Muir, and Ozaki all disclose the first display as being a plurality of reels on which symbols are formed (see above). Ozaki discloses that the back panel

(Fig. 2-(27)) is provided with areas corresponding to each reel, wherein light is transmittable (Fig. 2, ¶ 45, Fig. 27).

Claim 3: Loose discloses that the player of the gaming device inputs a wager amount that is transmitted to the processor. The processor responds by executing a game code that randomly selects a predetermined outcome. The reels of symbols are thus rotated, stopped, and displayed based on the predetermined outcome (Col. 3:27-55, Col. 6:1-15, Fig. 6).

Claim 4: Figures 8a, 8b, and 8c illustrate the transformation from a blank symbol to a bell in the symbol display area or light transmittable part (Loose).

Claim 5: Figures 8a-c illustrates the predetermined image as being of a non-transparent color (Loose).

Claim 6: Muir discloses that the liquid crystal panel overlies a shutter mechanism that is electronically controlled to vary between a transparent state (Pg. 2:13-20). When energy levels are applied varying degrees of transparency are achieved within the reel zones of the monitor. Thus, when electricity isn't applied the zones are opaque making the structure "normally white" (Pg. 7:24-32).

Response to Arguments

Applicant's arguments with respect to Claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Uchiyama et al (US 6,638,165), Motegi et al (US 6,817,946), Watanabe et al (US 6,866,582), Emori et al (US 204/0166925), and Wells (US 2004/0029636) teaches image superimposing on a reel slot machine with LCD displays.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tramar Harper whose telephone number is (571) 272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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 1/12/07
ROBERT OLSZEWSKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700